

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TODAY MEDIA, INC.,

Plaintiff,

v.

CBR MEDIA LLC,
a Pennsylvania LLC,

Defendant.

Civil Action No. 07-cv-00087

JURY TRIAL DEMANDED

**DEFENDANT'S MOTION TO DISMISS FOR LACK OF JURISDICTION AND
IMPROPER VENUE**

Pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(3), and for the reasons stated in the accompanying memorandum of law and accompanying Declaration of Andrew Cantor, Defendant hereby moves this Court to dismiss the above action based on lack of jurisdiction and improper venue.

Respectfully submitted,

Dated: February 23, 2007
Wilmington, Delaware

By: /s/ William M. Kelleher

William M. Kelleher, Esq. (No. 3961)
Ballard Spahr Andrews & Ingersoll, LLP
919 North Market Street, 12th Floor
Wilmington, DE 19801-3034
Phone: (302) 252-4465
Facsimile: (302) 252-4466
E-mail: kelleherw@ballardspahr.com

Counsel for the Defendant, CBR Media LLC

Of counsel:

Roberta Jacobs-Meadway
Bernadine J. Munley
Corey Field
Ballard Spahr Andrews & Ingersoll, LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
Phone: (215) 665-8500
Facsimile: (215) 864-9120
E-mail: jacobsmeadwayr@ballardspahr.com
munleyb@ballardspahr.com
fieldc@ballardspahr.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TODAY MEDIA, INC.,

Plaintiff,

v.

CBR MEDIA LLC,

a Pennsylvania LLC,

Defendant.

Civil Action No. 07-cv-00087

JURY TRIAL DEMANDED

PROPOSED ORDER

AND NOW, this ___ day of _____, 2007, upon consideration of Defendant's Motion to Dismiss for Lack of Jurisdiction and Improper Venue, and the accompanying Declaration of Andrew Cantor, it is hereby ORDERED that Defendant's Motion is GRANTED.

BY THE COURT

J.